

REMARKS

I. Response to arguments relating to upheld rejections in Advisory Action dated July 29, 2009 and basis for amendments.

The applicant would like the examiner to first take note that claim 3 is rejected under the heading 'Kato in view of Sangroniz and further in view of Warmus;' however, claims 9-11, depending from claim 3, are rejected with only 'Kato in view of Sangroniz.' A heading discrepancy involves claims 13 and 14, namely, claim 13 is rejected under the heading 'Kato in view of Sangroniz and further in view of Warmus'; however, claim 13 dependent claim 14 is rejected with only 'Kato in view of Sangroniz.' The applicant requests the record be clarified regarding these inconsistencies. The applicant is rejecting claims 3, 9-11, 13 and 14 below as best understood.

It appears from Kato '236 that the term "device driver" therein is not used in a clearly defined manner. One example would be in ¶ [0057], lines 2-3, stating "a software module provided to implement the document processing system," wherein it uses the term device driver to describe the electronic original writer (1020, Figure 9), wherein ¶ [0057] goes on to give an example of its output as being in an SMF format, i.e. CNF. If this definition holds true, it is further interpreted that the "device driver" per Kato '236 can either generate common normal format (CNF) or equipment specific format (ESF) since Kato '236 too describes a device driver used to feed a printer (see ¶ [0056]) which is considered equipment dependent. Leading to further confusion Kato '236 goes on to state in ¶ [0058] that the book binding application (1040, figure 9) designates (control function) the electronic original writer 1020 as the device driver since the electronic original writer 1020 does not have a complete electronic original file format. Kato '236 continues in ¶ [0059] by stating that the electronic original file output from the electronic original writer 1020 is defined as the intermediate code.

In the spirit of consistency the applicant requests putting on record the interpretation of "incomplete intermediate code" and what would be necessary to make it complete. As mentioned in ¶ [0057] in Kato '236, SVG and PDF are given as examples of electronic original file formats generated by the electronic original

writer, and with that said, the question is posed how would these be considered incomplete? Also needing clarification is Kato '236, ¶ [0057], stating that "the electronic original writer 1020 does not target a specific output device" while calling the electronic original writer 1020 a device driver (see ¶ [0057]), which is described in ¶ [0056] as a generator of print data. The applicant requests further clarification of these recurring issues relating to the Kato '236 reference.

In light of previous rejections and careful scrutiny of Kato '236 reference the Applicant has chosen claim amendment language to define the instant invention further beyond the scope of the prior art in order to crystallize the true inventive entity of the instant application. The examiner's assertion that the SVG format code is considered a common normal format CNF (see Final Action dated May 14, 2009, page 7, line8) has been well taken, and upon agreement, is therefore inherently included in the family of common normal formats (CNF). It is further noted that SMF, being based on XML code and widely used throughout the industry for its exceptional portability and versatility in online applications, and being commonly known in the art, is a preferred choice for format for viewing, e.g., within web pages, as further detailed below.

The above discussion highlights the motivation for amending claims 1, 2, 20 and 21 introducing very specific integration of SVG formatting in the system architecture, ideally implemented downstream of the book generator taking advantage of SVG format exceptional predisposition towards being a graphical interface with the Internet, making its selection a natural choice for CNF implementation, especially significant in the "just-in-time" inventory practices described in ¶ [0024] of instant application, where viewing of a prepress image on a website, for example, would be a significant improvement when realizing the business model of "immediate printing services."

II. Claim Rejections - 35 USC §103

Requirements for Prima Facie Obviousness

The obligation of the examiner to go forward and produce reasoning and evidence in support of obviousness is clearly defined at M.P.E.P. §2142:

"The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

The U.S. Supreme Court ruling of April 30, 2007 (*KSR Int'l v. Teleflex Inc.*) states:

"The TSM test captures a helpful insight: A patent composed of several elements is not proved obvious merely by demonstrating that each element was, independently, known in the prior art. Although common sense directs caution as to a patent application claiming as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the art to combine the elements as the new invention does."

"To facilitate review, this analysis should be made explicit."

The U.S. Supreme Court ruling states that it is important to identify a *reason* that would have prompted a person to combine the elements and to make that analysis *explicit*. MPEP §2143 sets out the further basic criteria to establish a *prima facie* case of obviousness:

1. *a reasonable expectation of success; and*
2. *the teaching or suggestion of all the claim limitations by the prior art reference (or references when combined).*

It follows that in the absence of such a *prima facie* showing of obviousness by the Examiner (assuming there are no objections or other grounds for rejection) and of a *prima facie* showing by the Examiner of a *reason* to combine the references, an applicant is entitled to grant of a patent. Thus, in order to support an obviousness rejection, the Examiner is obliged to produce evidence compelling a conclusion that the basic criterion has been met.

Kato in view of Sangroniz

The Examiner rejected claims 1, 2, 9-11, 14-17, 20, 21, 28-30 and 33-36 under 35 U.S.C. §103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2003/0103236) in view of Sangroniz (U.S. Patent Publication No. 2005/0050466) in a May 14, 2009 Final Action and further justified the rejections in a July 29, 2009 Advisory Action. In response to said rejections the applicant submits newly amended claims 1, 2, 4-8, 12, 13, 20, 21, 23-27, and 31, to more clearly define the instant application's inventive entity.

Regarding claim 1 rejection, Kato allegedly discloses a print-on-demand method for creating and reproducing books by heterogeneous reproduction systems, said method comprising the steps of obtaining book files from at least one of a memory, scanner and network, the data network connecting the client PC to the document management server can be considered as the data network used to obtain book files consisting of contents related to pages and chapters of a book, the content of the book files are obtained from a computer memory in an intermediate format that includes print attributes in JDF, the book files including book identification information and book production information, wherein the book files are compiled into a digital representation of a book targeted for reproduction; converting the book files from JDF into a master book embodied in common normal format (CNF) files that are reproduction system and solution-independent; storing the CNF files in memory within a repository as a mastered book; d) determining if the CNF files need to be converted into equipment specific format files based on a book reproduction system to be utilized for reproduction and if conversion is necessary, thereafter, converting said CNF files into said ESF files that match the needs of said book reproduction system; reproducing said book reproduction system. Claim 1 has been amended to read:

A print-on-demand method for creating and reproducing books by heterogeneous systems, said method comprising the steps of:

a) obtaining and generating book files in portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, being further defined as formats, wherein said formats comprising a family of common normal format (CNF) files, retrieved from or sent to at least one of a memory, scanner and network, said book files including book

identification information and book production information, wherein said book files are compiled into a digital representation of a book targeted for reproduction;

b) converting said book files reflecting attributes imposed by said JDF into a master book embodied in the CNF files that are reproduction system and solution-independent;

c) storing at least one of said family of CNF files in memory within a repository as a mastered book;

d) determining if the at least one of the said family of CNF files need to be converted into equipment specific format files based on a book reproduction system to be utilized for reproduction and if conversion is necessary, thereafter converting the at least one of said family of CNF files into said equipment specific format files that match the needs of said book reproduction system; and

e) reproducing said book at said book reproduction system.

Applicant respectfully submits that Kato '236 in view of Sangroniz et al does not hint at, teach nor suggest the step of obtaining and generating book files in portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, being further defined as formats, wherein said formats comprising a family of common normal format (CNF) files, retrieved from or sent to at least one of a memory, scanner and network, said book files including book identification information and book production information, wherein said book files are compiled into a digital representation of a book targeted for reproduction. Furthermore, Kato '236 in view of Sangroniz et al does not hint at, teach or suggest the step of converting said book files reflecting attributes imposed by said JDF into a master book embodied in the CNF files that are reproduction system and solution-independent; storing at least one of said family of CNF files in memory within a repository as a mastered book; determining if the at least one of the said family of CNF files need to be converted into equipment specific format files based on a book reproduction system to be utilized for reproduction and if conversion is necessary, thereafter converting the at least one of said family of CNF files into said equipment specific format files that match the needs of said book reproduction system; and reproducing said book at said book reproduction system.

Because Kato '236 in view of Sangroniz et al fail to hint at, teach or suggest the step of what is now found in independent claim 1, as amended, claims 1-19 are no longer unpatentable under 35 U.S.C. 103. Based on the foregoing, the applicant

respectfully requests that the 35 U.S.C. 103 (a) rejection of claims 1-19 based on the Kato '236 patent application reference be withdrawn.

Regarding claim 2, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein said book in step a) is originally in the form of electronic files (i.e. the file stored in the system is converted into an electronic file in the system; (citing paragraph [0053])). Claim 2 has been amended as follows:

The method in Claim 1, wherein said book in step a) is digitally represented in at least one of the PDF and JDF formats for printing versatility, and further downstream of reproduction workflow in communication medium said book files authored in said SVG format, via standalone or existing applications, advantaged by the SVG format possessing a structural file format that increases versatility in manipulating content online beyond competing CNF capabilities, all encapsulated within an XML pipeline while still imposing JDF functionality, ultimately resulting in a highly responsive, reliable solution in the spirit of just-in-time inventory practices.

Applicant respectfully submits that Kato '236 in view of Sangroniz et al does not hint at, teach or suggest the method in Claim 1, wherein said book in step a) is digitally represented in at least one of the PDF and JDF formats for printing versatility, and further downstream of reproduction workflow in communication medium said book files authored in said SVG format, via standalone or existing applications, advantaged by the SVG format possessing a structural file format that increases versatility in manipulating content online beyond competing CNF capabilities, all encapsulated within an XML pipeline while still imposing JDF functionality, ultimately resulting in a highly responsive, reliable solution in the spirit of just-in-time inventory practices.

Because Kato '236 in view of Sangroniz et al fail to hint at, teach or suggest the step of what is now found in claim 2, as amended, claims 2 and dependent claims 4-8 are no longer unpatentable under 35 U.S.C. 103. Based on the foregoing, the applicant respectfully requests that the 35 U.S.C. 103 (a) rejections of claims 2 and 4-8 based on the Kato '236 patent application reference be withdrawn.

Regarding claims 9, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued Kato discloses the method in claim 1, wherein step d) comprises the step of: acquiring or generating hard copy book production information (i.e. when the system produces information related to the print attribute of the print job, this is considered as producing or generating hard copy book production information since this information informs the system about the manner in which to print the document. The Examiner argued that this information is created by the bookbinding application (1040); (citing paragraph [0058]). (Please take note of rejection anomalies noted above.)

Regarding claim 10, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 9, wherein said book production information includes information pertaining to the printing information used by the printing equipment in the system; (citing 1, 19 and 21; paragraphs [0068]-[0075] and [0120]). (Please take note of rejection dependency issues noted above.)

Regarding claim 11, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 9, wherein said book production information comprises printing information (i.e. the book printing attribute information includes information pertaining to the binding information used by the equipment that will perform the book binding operation; (citing 1, 19 and 21; paragraphs [0068]-[0075] and [0120]). (Please take note of rejection dependency issues noted above.)

Regarding claim 14, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein step d) further comprises the step of; acquiring or generating hard copy book production information (i.e. when the system produces information related to the print attribute of the print job, this is considered as producing or generating hard copy book production information since this information informs the system about the manner in which to print the document. The Examiner argued that this information is created by the bookbinding application (1040); (citing paragraph [0058]). (Please take note of rejection dependency issues noted above.)

Regarding claim 15, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein for electronic books, said book production information comprises security information (i.e. in the system, the qualification of the user to print is checked in the system. The Examiner argued that the qualifications of the user that is checked can be considered as security information; (citing paragraph [0111])).

Regarding claim 16, the Examiner argued that the teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein for electronic books, said book production information comprises viewing capabilities (i.e. in the system, when opening a book file using the bookbinding application, the display methods that are designated by the user, considered as viewing capabilities, affects how the job is viewed on the display. The Examiner argued that when displaying the image data, the manner in which the book is produced can be displayed. The Examiner argued that this is an example of the system acquiring displaying capability information from the requester of information; (citing paragraph [0112] and [0113])).

Regarding claim 17, the Examiner argued that teachings of Kato and Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein for electronic books, said book production information comprises printing capabilities (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, the printing capabilities of the requester is obtained; (citing FIGS. 1-3, paragraphs [0007]-[0023])).

The Applicant respectfully disagrees with this assessment and notes that the argument presented above against the rejection of independent claim 1 and dependent claim 2 applies equally against the rejections of dependent claims 4-11, and 14-17. As submitted above, Kato in view of Sangroniz does not disclose all of the Applicant's claim 1 and 2 steps.

Therefore Kato in view of Sangroniz fails in the aforementioned *prima facie* anticipation test as each and every limitation of the Applicant's claims 2, 9- 11, and 14- 17 is not disclosed. Based on the foregoing, the Applicant respectfully requests

that the 35 U.S.C. §102(e) rejections of claims 1, 2, 9- 11, and 14- 17 based on Kato in view of Sangroniz and 4-8 further in view of Clark be withdrawn.

Regarding claim 20, the Examiner argued that Kato discloses a print-on-demand system for creating and reproducing books by heterogeneous reproduction workflows, said system comprising: at least one of a scanner, memory and data network for obtaining book contents for a book targeted for reproduction (i.e. when viewing figure 19, the local hard disk or network drive is used to store, or obtain, a book file that can be printed in the system by the local or network printer. The Examiner argued that also, the data network connecting the client PC to the document management server can be considered as the data network used to obtain book files consisting of contents related to pages and chapters of a book; (citing FIG. 19; paragraphs [0056]-[0062] and [0105]-[0113]);

a book file generator adapted to generate a digital representation of said book targeted for reproduction into book files including book identification information and book production information in job definition format (JDF) (i.e. the application (105), shown in FIG. 1, is used to issue a print request to an intermediate code generation module (106), that generates a book in coded form, which is clearly digital code since all computers operate and read digital information. The Examiner argued that the book generated in an intermediate code contains information that expresses the original of each page by a detailed format, which is considered as book identification information. The Examiner argued that the intermediate code also contains print attribute designation data in JDF that performs the feature of determining how the print job is to be produced (e.g. double or single sided printing, etc.) which is analogous to book production information; (citing FIGS. 1, 8 and 12; paragraphs [0068]-[0075] and [0115]-[0120]) (The Examiner further argued that since the claim language contains "adapted to", the claim only requires a book file generator with the implication that the claim language does not require the function after the phrase);

a common normal format converter adapted to convert said book files into a common normal format that is reproduction system and solution-independent (i.e. the intermediate code produced from using the information regarding the original of each page and the JDF is considered as the common normal format since this code

is independent from the reproduction system and it is coded as intermediate file format data; (citing paragraph [0120]);

a book file memory within a repository adapted to store common normal format files representing said book targeted for reproduction as a mastered book (i.e. the intermediate code storage module (107) is used to store the intermediate code, considered as common normal format files, that represents the data pertaining to the book to be printed. The Examiner argued that citing in FIG. 21, the image data is stored in the intermediate code storage module before further processing for printing or producing the book, which concurs with the feature of having the files stored in memory representing the book to be printed that contains all the contents related to the book to be produced; (citing FIG. 21, paragraphs [0115]-[0120]);

an equipment specific format file converter adapted to convert common normal format files into a equipment specific format files including JDF definitions matching the needs of a book reproduction equipment being utilized to reproduce the book (i.e. in the system, the intermediate code generation module was used to convert the original data and the print attribute data, which is represented in JDF, into intermediate code data. The Examiner argued that this information is stored in the intermediate code memory. The Examiner argued that next, the system then obtains the intermediate code and converts the code into print data (e.g. PDL) in order for the printer to receive information in a format that is recognizable to the printer. The Examiner argued that the data converted to PDL is analogous to converting previous data into data that is specific to the printing equipment used in the system in order to match the pre-printing requirements of the printer so that the printer is able to recognize the information and output the print data. The Examiner argued that since the intermediate data includes the JDF and the intermediate data is converted into PDL, or print data, the above feature of converting the intermediate files into equipment specific files that includes the contents of the JDF information is performed; (citing FIG. 21; paragraphs [0115]-[0121]); and

a book reproducer adapted to reproduce the book from information comprised by the equipment specific format files (i.e. the local or network printers shown in FIG. 19 or the printers connected to the LAN (104) shown in FIG. 1 are

considered as the book reproducers that are able to output a book from the information converted into PDL that is interpreted by the printer for printing; (citing FIGS. 1, 19 AND 21; paragraphs [0115]-[0121]).

However, the Examiner admitted that Kato fails to specifically teach obtaining book files in job definition format (JDF). The Examiner argued however, that this is well known in the art as evidenced by Sangroniz.

The Examiner argued that Sangroniz discloses obtaining book files in JDF. The Examiner argued that the system of Sangroniz is similar to the system of Kato in the manner in which both systems involve a client device sending printing information to an apparatus to be printed. However, the Examiner argued that in Sangroniz, the print facility that receives job ticket information, the job ticket is described in JDF format. This same job ticket is received from a client through a network, or from a storage device. The Examiner argued that since the Kato device can consist of a host computer and a printer or consists only of one printing apparatus, the feature of obtaining information in JDF into a single apparatus can perform the above feature (citing Kato paragraphs [0008] - [0011]).

The Examiner argued that therefore, in view of Sangroniz, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of obtaining book files in JDF, incorporated in the device of Kato, in order to obtain job tickets submitted to a printing system that is expressed in the JDF format (citing Sangroniz paragraph [0002]).

Claim 20 has been amended to read:

A print-on-demand system for creating and reproducing books by heterogeneous reproduction workflows, said system comprising:

at least one of a scanner, memory and data network for obtaining book contents for a book targeted for reproduction;

a book file generator to generate to distribute a digital representation of said book, transmittable in the form of at least one of a portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, wherein all said format being collectively termed family of common normal formats (CNF) in light of being reproduction system and solution independent within a reproduction process;

a CNF file converter to convert said book files into at least one of a CNF file of the family of CNF files that is reproduction system and solution-independent;

a book file memory within a repository to store the CNF file of the family of CNF files representing said book targeted for reproduction as a mastered book;

an equipment specific format (ESF) file converter to determine if the at least one of said CNF file need to be converted into the ESF file based on a book reproduction equipment to be utilized for reproduction and if conversion is necessary, thereafter to convert said CNF files into said ESF files matching the needs of said book reproduction equipment being utilized to reproduce said book; and

a book reproducer to reproduce said book from information comprised by said ESF files.

Because Kato '236 in view of Sangroniz et al fail to hint at, teach or suggest the step of what is now found in claim 20, as amended, claims 20-38 are no longer unpatentable under 35 U.S.C. 103. Based on the foregoing, the applicant respectfully requests that the 35 U.S.C. 103 (a) rejections of claims 20-38 based on the Kato '236 patent application reference be withdrawn.

Regarding claim 21, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 20, wherein said book in step a) is originally in the form of electronic files (i.e. the file stored in the system is converted into an electronic file in the system; (citing paragraph [0053])). Claim 21 has been amended to read:

The system in Claim 20, wherein the digital representation of said book in a pre-distribution phase is formed in at least one of a PDF and JDF format within the family of CNF formats, and downstream of said pre-distribution phase communication transmission formatting transitions to an SVG format, via standalone or existing applications, possessing a structural file format that increases versatility in manipulating online content beyond the PDF format capabilities, all encapsulated within an XML pipeline.

Because Kato '236 in view of Sangroniz et al fail to hint at, teach or suggest the step of what is now found in claim 21, as amended, claims 21, 23-27, and 31 are no longer unpatentable under 35 U.S.C. 103. Based on the foregoing, the applicant respectfully requests that the 35 U.S.C. 103 (a) rejections of claims 21, 23-27, and 31 based on the Kato '236 patent application reference be withdrawn.

Regarding claim 28, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 20, wherein said equipment specific format converter comprises; a book

production information generator adapted to generate hard copy book production information (i.e. when the system produces information related to the print attribute of the print job, this is considered as producing or generating hard copy book production information since this information informs the system about the manner in which to print the document. The Examiner argued that this information is created by the bookbinding application (1040); (citing paragraph [0058]).

Regarding claim 29, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 28, wherein said book production information comprises printing equipment information (i.e. the book printing attribute information includes information pertaining to the printing information used by the printing equipment in the system; (citing 1, 19 and 21; paragraphs [0068]-[0075] and [0120])).

Regarding claim 30, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 28, wherein said book production information comprises binding equipment information (i.e. the book printing attribute information includes information pertaining to the binding information used by the equipment that will perform the book binding operation; (citing 1, 19 and 21; paragraphs [0068]-[0075] and [0120])).

Regarding claim 33, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 20, wherein said equipment specific format converter comprises: a book production information generator adapted to generate hard copy book production information (i.e. when the system produces information related to the print attribute of the print job, this is considered by the Examiner as producing generating hard copy book production information since this information informs the system about the manner in which to print the document. The Examiner argued that this information is created by the bookbinding application (1040); (citing paragraph [0058]).

Regarding claim 34, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 28, wherein for electronic books, said book production information

comprises security information (i.e. in the system, the qualification of the user to print is checked in the system. The Examiner argued that the qualifications of the user that is checked can be considered as security information; (citing paragraph [0111])).

Regarding claim 35, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 28, wherein for electronic books, said book production information comprises viewing capabilities (i.e. in the system, when opening a book file using the bookbinding application, the display methods that are designated by the user, considered as viewing capabilities, affects how the job is viewed on the display. The Examiner argued that when displaying the image data, the manner in which the book is produced can be displayed. The Examiner argued that this is an example of the system acquiring displaying capability information from the requester of information; citing paragraph [0112] and [0113])).

Regarding claim 36, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 20, wherein for electronic books, said book production information comprises printing capabilities (i.e. in the system, the printing attributes are related to the book file being printed is considered as the printing capabilities since these attributes define the manner in which to develop or create the book file in the printer; citing 1, 19 and 21; paragraphs [0068]-[0075] and [0120])).

The Applicant respectfully disagrees with this assessment and notes that the argument presented above against the rejection of independent claim 20 and dependent claim 21 applies equally against the rejections of dependent claims 23-27, 28-30, 31, and 33-36.

Therefore Kato in view of Sangroniz fails in the aforementioned *prima facie* obviousness test as each and every limitation of the Applicant's claims 28-30, and 33-36 is not disclosed. Based on the foregoing, the Applicant respectfully requests that the 35 U.S.C. §103(a) rejections of claims 28-30, and 33-36 based on Kato in view of Sangroniz be withdrawn. This amendment is for the purpose of placing the application in a condition for allowance.

Kato in view of Sangroniz and Warmus

The Examiner rejected claims 3, 12, 13, 22, 31 and 32 under 35 U.S.C. §103(a) as being unpatentable over Kato in view of Sangroniz and further in view of Warmus (U.S Patent No. 6,332,149).

Regarding claim 3, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato fails to teach the system in claim 1, wherein said book in step a) is originally in the form of a hard copy, and step a) further comprises the steps of: scanning the components of said book; and converting scanned components of said book into said digital representation.

The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus discloses wherein said book in step a) is originally in the form of a hard copy, and step a) further comprises the steps of: scanning the components of said book (i.e. in the system, a scanner can be used to scan an input copy, citing Warmus col. 8, lines 8-30); and converting scanned components of said book into said digital representation (i.e. the Examiner argued that like Kato, the invention of Warmus involves printing information that are related to book files and reproducing the book file information). The Examiner argued that with the scanning of an input copy and producing a movie or some non-static information, the conversion of scanned information into a movie or other non-static information is understood to be in a digital representation; (citing Warmus col. 8, lines 8-30).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book in step a) is originally in the form of a hard copy, and step a) further comprises the steps of: scanning the components of said book and converting scanned components of said book into said digital representation in order to have a scanner which scans an input copy (citing Warmus, col. 8, lines 8-10). (Please take note of rejection dependency issues noted above.)

Regarding claim 12, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the

method in claim 1, wherein in step d) further comprises the step of: via a Processor, creating a bitmap of the book block (i.e. in the system, the electric original writer (1020) creates a bitmap representation of the book block; (citing FIG. 17, paragraph [0082])).

The Examiner admitted that however, Kato fails to teach Raster Image Processor. The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus discloses Raster Image Processor (i.e. like Kato, the invention of Warmus involves printing information that are related to book files and reproducing the book file information. The Examiner argued that Warmus discloses having a RIP Raster Image Processor) used to create bitmaps of book pages that can be displayed; (citing FIG. 6, col. 8, lines 63-67, col. 9, lines 45-61).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a Raster Image Processor creating a bitmap of the book block in order to have a display device display pages (citing Warmus, col. 7, lines 24-31).

Regarding claim 13, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the method in claim 1, wherein step d) further comprises the step of: via a Processor, creating a bitmap of the book cover (i.e. in the system, the electric original writer (1020) creates a bitmap representation of the book block; (citing FIG. 17, paragraphs [0070] and [0082])).

The Examiner admitted that however, Kato fails to teach Raster Image Processor. The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus involves printing information that are related to book files and reproducing the book file information. The Examiner argued that Warmus disclosed having a RIP used to create bitmaps of book pages, which includes cover pages, which can be displayed; (citing FIG. 6, col. 8, lines 63-67, col. 9, and lines 45-61).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a RIP creating a bitmap of the book cover in order to have display device

display pages (citing Warmus, col. 7, lines 24-31). (Please take note of rejection dependency issues noted above.)

Regarding claim 22, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner admitted that however, Kato fails to teach the system in claim 20, wherein said book in step a) is originally in the form of a hard copy, and said book file generator further comprises: a book scanner adapted to scan the components of said book; and a scanned component converter adapted to convert scanned components of said book into said digital representation.

The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus discloses wherein said book in step a) is originally in the form of a hard copy, and said book file generator further comprises: a book scanner adapted to scan the components of said book (i.e. in the system, a scanner can be used to scan an input copy; (citing col. 8, lines 8-30); and a scanned component converter adapted to convert scanned components of said book into said digital representation (the Examiner argued like Kato, the invention of Warmus involves printing information that are related to book files and reproducing the book file information . The Examiner argued that with the scanning of an input copy and producing a movie or some non-static information, the conversion of scanned information into a movie or other non-static information, the conversion of scanned information into a movie or other non-static information is understood to be in a digital representation; (citing Warmus col. 8, lines 8-30).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a book scanner adapted to scan the components of said book; and a scanned component converter adapted to convert scanned components of said book into said digital representation in order to have a scanner which scans an input copy (citing Warmus, col. 8, lines 8-10).

Regarding claim 31, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above. The Examiner argued that Kato discloses the system in claim 20, wherein said equipment specific format converter comprises: a Processor adapted to create a bitmap of the book block (i.e. in the system, the

electric original writer (1020) creates a bitmap representation of the book block; (citing FIG. 17, paragraph [0082]).

The Examiner admitted that however, Kato fails to teach Raster Image Processor.

The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus discloses Raster Image Processor (i.e. like Kato, the Examiner argued the invention of Warmus involves printing information that are related to book files and reproducing the book file information. The Examiner argued that Warmus discloses having a RIP (Raster Image Processor) used to create bitmaps of book pages that can be displayed; (citing FIG. 6; col. 8, lines 63-67, col. 9, lines 45-61).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a Raster Image Processor adapted to create a bitmap of the book block in order to have a display device display pages (citing Warmus, col. 7, lines 24-31).

Regarding claim 32, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner argued that Kato discloses the system in claim 20, wherein step d) further comprises the step of: a Processor adapted to create a bitmap of the book cover (i.e. in the system, the electric original writer (1020) creates a bitmap representation of the book block; (citing FIG. 17; paragraphs [0070] and [0082]).

The Examiner admitted that however, Kato fails to teach Raster Image Processor.

The Examiner argued that however, this is well known in the art as evidenced by Warmus. The Examiner argued that Warmus discloses Raster Image Processor (i.e. like Kato, the invention of Warmus involves printing information that are related to book files and reproducing the book file information. The Examiner argued that Warmus discloses having a RIP (Raster image processor) used to create bitmaps of book pages, which includes cover pages, which can be displayed: citing FIG. 6; col. 8, lines 63-67, col. 9, lines 45-61).

The Examiner argued that therefore, in view of Warmus, it would have been obvious to one of ordinary skill at the time the invention was made to have the

feature of a Raster Image Processor adapted to create a bitmap of the book cover in order to have a display device display pages (citing Warmus, col. 7, lines 24-31).

In light of the newly amended claims 1, 2, 20, and 21 the rejections of claims 3-8, 12, 13, 22-27, 31 are moot if deemed allowable. As submitted above Kato in view of Sangroniz and additionally further in view of Clark does not disclose the newly amended claim matter that follows: 1) the step of obtaining and generating book files in portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, being further defined as formats, wherein said formats comprising a family of common normal format (CNF) files, retrieved from or sent to at least one of a memory, scanner and network, said book files including book identification information and book production information, wherein said book files are compiled into a digital representation of a book targeted for reproduction (claim 1). 2) a book file generator to generate to distribute a digital representation of said book, transmittable in the form of at least one of a portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, wherein all said format being collectively termed family of common normal formats (CNF) in light of being reproduction system and solution independent within a reproduction process (claim 20). 3) wherein said book in step a) is digitally represented in at least one of the PDF and JDF formats for printing versatility, and further downstream of reproduction workflow in communication medium said book files authored in said SVG format, via standalone or existing applications, advantaged by the SVG format possessing a structural file format that increases versatility in manipulating content online beyond competing CNF capabilities, all encapsulated within an XML pipeline while still imposing JDF functionality, ultimately resulting in a highly responsive, reliable solution in the spirit of just-in-time inventory practices (claim 2). 4) wherein the digital representation of said book in a pre-distribution phase is formed in at least one of a PDF and JDF format within the family of CNF formats, and downstream of said pre-distribution phase communication transmission formatting transitions to an SVG format, via standalone or existing applications, possessing a structural file format that increases versatility in manipulating online content beyond the PDF format capabilities, all encapsulated within an XML pipeline (claim 21).

Therefore, Kato in view of Sangroniz and further in view of Warmus fails in the aforementioned *prima facie* obviousness test as each and every limitation of the Applicant's claims is not disclosed. Furthermore, the Examiner has not provided an explicit rationale to combine the references. Based on the foregoing, the Applicant respectfully requests that the 35 U.S.C §103(a) rejections of claims 3-8, 12, 13, 22-27, 31 and 32 based on Kato in view of Sangroniz and further in view of Warmus be withdrawn.

Kato in view of Sangroniz and Clark et al.

The Examiner rejected claims 4-8, 18, 19, 23-27, 37 and 38 under 35 U.S.C. §103(a) as being unpatentable over Kato in view of Sangroniz and further in view of Clark et al. (U.S. Patent Publication No. 2002/0152215) hereinafter referred to as "Clark".

Regarding claim 4, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato fails to teach disclose the method in previously amended claim 1, wherein said book identification information comprises the book title.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book title (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs {0022}-[0025]). The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book title in

order to obtain information on eBooks or “print-on-demand” titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 5, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in previously amended claim 1, wherein said book identification information comprises the book author (i.e. in the system, book identification information includes an author; (citing FIGS. 1-3; paragraphs [0007]-[0023])).

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book author (the Examiner argued that, i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025])). The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and “print-on-demand” titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038])).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book author in order to obtain information on eBooks or “print-on-demand” titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 6, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in previously amended claim 1, wherein said book identification information comprises the book publisher.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book publisher (i.e. the reference of Clark offers a print-

on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs {0022}-[0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown in FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book publisher in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 7, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in previously amended claim 1, wherein said book identification information comprises the International Standard Book Number (ISBN).

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the ISBN (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022][0025]). The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the ISBN in order

to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 8, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in previously amended claim 1, wherein said book identification information comprises the book publishing date.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book publishing date (i.e. the reference of Clark offers a print-on-demand titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025]). The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book publishing date in order to obtain information on eBooks or "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book publishing date in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 18, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in claim 1 wherein step e) comprises for electronic books, the step of: providing access to said book via an electronic link to a data network.

The Examiner argued that, however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein step e) comprises for electronic books, the step of: providing access to said book via an electronic link to a data network (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that during the process of fulfilling a purchase request, a URL, or a link, is sent to the user to provide access to the purchased eBook; (citing FIG. 16; paragraphs [0068]-[0074]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of an providing access to said book via an electronic link to a data network in order to enable a consumer "print-on-demand" hard copies of a title (citing Clark, paragraph [0069]).

Regarding claim 19, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in claim 1 wherein step e) comprises for electronic books, the step of: delivering said book to a predefined destination.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein step e) comprises for electronic books, the step of: delivering said book to a predefined destination (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that during the process of fulfilling a purchase request, a URL, or link, is sent to the user to provide access to the purchased eBook. The Examiner argued that the user then receives the eBook from the server (210) that handles distribution of the eBook. The Examiner argued that the feature of a link delivering

a book to the predefined destination (e.g. the consumer client computer (208) over a data network (202); (citing FIG. 16-18; paragraphs [0068]-[0077]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein step e) comprises for electronic books, the step of: delivering said book to a predefined destination in order to enable a consumer "print-on-demand" hard copies of title (citing Clark, paragraph [0069]).

Regarding claim 23, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the system in claim 21, wherein said book identification information comprises the book title.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book title (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date: (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book title in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 24, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the system in claim 21, wherein said book identification information comprises the book author.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book author (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book author in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 25, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach discloses the system in claim 21, wherein said book identification information comprises the book publisher.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprised the book publisher (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-

demand' titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the book publisher in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 26, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the method in claim 21, wherein said book identification information comprises the ISBN.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the ISBN (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022][0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that shown on FIG. 6 is an example of a publisher creating information related to the eBooks and "print-on-demand" titles that the publisher offers. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing paragraphs [0022]-[0025] and [0033]-[0038]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book identification information comprises the ISBN in order to obtain information on eBooks or "print-on-demand" titles offered on the network (citing Clark, paragraph [0035]).

Regarding claim 27, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the system in claim 21, wherein said book identification information comprises the book publishing date.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book identification information comprises the book publishing date (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that the publishing client (204) is used to submit information identifying a book that includes a title, author and ISBN. The Examiner argued that the information offered includes the publisher, publisher reference number and publication date; (citing Clark, paragraph [0035]).

Regarding claim 37, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the system in claim 20 wherein said book reproducer comprises for electronic books: an electronic link adapted to provide access to said book.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book reproducer comprises for electronic books: an electronic link adapted to provide access to said book (9.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that during the process of fulfilling a purchase request, a URL, or link, is sent to the user to provide access to the purchased eBook; (citing FIG. 16, paragraphs [0068]-[0074]).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of an electronic link adapted to provide access to said book in order to enable consumer "print-on-demand" hard copies of a title (citing Clark, paragraph [0069]).

Regarding claim 38, the Examiner argued that the teachings of Kato in view of Sangroniz are disclosed above.

The Examiner admitted that however, Kato in view of Sangroniz fails to teach the system in claim 20 wherein said book reproducer comprises for electronic books: an electronic link adapted to deliver said book to a predefined destination over a data network.

The Examiner argued that however, this is well known in the art as evidenced by Clark. The Examiner argued that Clark discloses wherein said book reproducer comprises for electronic books: an electronic link adapted to deliver said book to a predefined destination over a data network (i.e. the reference of Clark offers a print-on-demand system similar to the reference of Kato. The Examiner argued that this is mentioned in paragraphs [0022]-[0025]. The Examiner argued that during the process of fulfilling a purchase request, a URL, or link, is sent to the user to provide access to the purchased eBook. The Examiner argued that the user then receives the eBook from the server (210) that handles distribution of the eBook. The Examiner argued that the feature of the server delivering the eBook to the consumer performs the feature of a link delivering a book to the predefined destination (e.g. the consumer client computer (208) over a data network (202); (citing FIGS. 16-18; paragraphs [0068]-[0077])).

The Examiner argued that therefore, in view of Clark, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein said book reproducer comprises for electronic books: an electronic link adapted to deliver said book to a predefined destination over a data network in order to enable a consumer "print-on-demand" hard copies of a title (citing Clark, paragraph [0069]).

In light of the newly amended claims 1, 2, 20, and 21 the rejections of claims 4-8, 18, 19, 23-27, 37 and 38 are moot if deemed allowable. In particular Kato in view of Sangroniz and additionally further in view of Clark does not disclose the newly amended claim matter that follows: 1) the step of obtaining and generating book files in portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, being further defined as formats, wherein said formats comprising a family of common normal format (CNF) files, retrieved from or sent to at least one of a memory, scanner and network, said book files including book identification information and book production information,

wherein said book files are compiled into a digital representation of a book targeted for reproduction (claim 1). 2) a book file generator to generate to distribute a digital representation of said book, transmittable in the form of at least one of a portable document format (PDF), job definition format (JDF), and scalable vector graphics (SVG) format, wherein all said format being collectively termed family of common normal formats (CNF) in light of being reproduction system and solution independent within a reproduction process (claim 20). 3) wherein said book in step a) is digitally represented in at least one of the PDF and JDF formats for printing versatility, and further downstream of reproduction workflow in communication medium said book files authored in said SVG format, via standalone or existing applications, advantaged by the SVG format possessing a structural file format that increases versatility in manipulating content online beyond competing CNF capabilities, all encapsulated within an XML pipeline while still imposing JDF functionality, ultimately resulting in a highly responsive, reliable solution in the spirit of just-in-time inventory practices (claim 2). 4) wherein the digital representation of said book in a pre-distribution phase is formed in at least one of a PDF and JDF format within the family of CNF formats, and downstream of said pre-distribution phase communication transmission formatting transitions to an SVG format, via standalone or existing applications, possessing a structural file format that increases versatility in manipulating online content beyond the PDF format capabilities, all encapsulated within an XML pipeline (claim 21).

Therefore, Kato in view of Sangroniz and further in view of Clark fails in the aforementioned *prima facie* obviousness test as each and every limitation of the Applicant's claims 18, 19, 37 and 38 is not disclosed. Based on the foregoing, the Applicant respectfully requests that the 35 U.S.C §103(a) rejections of claims 4-8, 18, 19, 23-27, 37 and 38 based on Kato in view of Sangroniz and further in view of Clark be withdrawn.

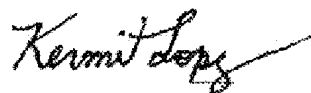
II. Conclusion

In view of the foregoing discussion, the Applicant has responded to each and every rejection of the Official Action. The Applicant has clarified the structural

distinctions of the present invention. Applicant respectfully requests the withdrawal of the rejection under §103 based on the preceding remarks. Reconsideration and allowance of Applicant's claims is also respectfully solicited.

Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,

A handwritten signature in black ink that reads "Kermit Lopez". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

Dated: September 11, 2009

Tel. (505) 314-1312
Fax (505) 314-1307

Kermit Lopez
Attorney for Applicants
Registration No. 41,953
ORTIZ & LOPEZ, PLLC
P.O. Box 4484
Albuquerque, NM 87196-4484